

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	
V.)	Crim. No. 15-cr-10271-WGY
)	
ALEX LEVIN)	
_____)	

**DEFENDANT'S UNOPPOSED THIRD MOTION FOR AMENDMENT OF CONDITIONS
OF RELEASE**

The defendant, Alex Levin, moves pursuant to 18 U.S.C. § 3145(a)(2) that this Court amend the conditions of release ordered by this Court on May 12, 2016 (Dkt. 85). Specifically, the defendant requests that his curfew be extended until 1:00 am from Saturday through Tuesday so that he can work the night shift at his job at Amazon. As grounds therefore, the defendant states the following:

On April 20, 2016, this Court allowed the Defendant's Motion to Suppress Evidence. (Dkt. 69). The Court also denied the prosecution's Motion for Reconsideration. (Dkt. 88). The prosecution filed a notice of appeal on May 17, 2016, and the case was transferred to the jurisdiction of the First Circuit Court of Appeals. (Dkt. 89, 91). The government sought, and received, three extensions of time for filing its brief in the First Circuit. The government filed their brief on October 26, 2016. The defendant's brief is due January 20, 2017.

The defendant requests that his curfew be extended until 1:00 am from Saturday through Tuesday so that he can work the night shift at his job at Amazon. The shift runs from 8:00 p.m. until 12:30 a.m. Extending the curfew until 1:00 a.m. on work-nights would provide sufficient time for the defendant to make it home to his apartment. This night shift is the only extra shift available and it pays time and a half. The defendant's curfew would remain unchanged Wednesday through Friday. The defendant began working part-time at an Amazon fulfillment center in August, 2016. Amazon has been impressed with his work and requested that he participate in management training. Per the District Court's previous amendment, the defendant was able to begin training for said promotion.

The defendant was incarcerated from August 12, 2015, until the Magistrate Judge ordered his release on April 26, 2016. The District Court amended the conditions of release on May 12, 2016, by deleting house arrest and imposing a curfew from 8:00 p.m. to 7:00 a.m. The defendant's conditions of release were then revised on September 12, 2016, by extending his curfew from 8:00 p.m. to 9:00 p.m. The defendant's conditions were amended again on October 28, 2016, by permitting him to change his residence to the home of a family friend, located at 144 Moraine Street in Brockton, Massachusetts and allowing him limited

computer access while at work so that he could take a promotion that he had been offered.

The defendant's other conditions of release: report to Pretrial Services; remain in Massachusetts; maintain residence and do not move without prior Pretrial Services approval; refrain from excessive use of alcohol; refrain from drug use; submit to random alcohol and drug testing; submit to location monitoring with a GPS ankle bracelet; and no unsupervised contact with children under 18 except his daughter, would remain in place.

The United States, through Assistant United States Attorney David Tobin, has no objection to this motion. Pretrial Services, through Probation Officer Chrissy Murphy, assents to this motion.

WHEREFORE, the defendant moves that this Court amend the conditions of his release by extending his curfew until 1:00 am from Saturday through Tuesday.

ALEX LEVIN
By His Attorneys,

CARNEY & ASSOCIATES

J. W. Carney, Jr.

J. W. Carney, Jr.
B.B.O. # 074760

Nate Dolcort-Silver

Nate Dolcort-Silver

B.B.O. # 693968

Carney & Associates
20 Park Plaza, Suite 1405
Boston, MA 02116
617-933-0350
jcarney@CARNEYdefense.com

December 19, 2016

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on or before the above date.

J. W. Carney, Jr.

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AFFIDAVIT SUPPORTING
DEFENDANT'S THIRD MOTION FOR AMENDMENT OF CONDITIONS OF RELEASE

I, J. W. Carney, Jr., state that the facts contained in the attached motion are true to the best of my information and belief.

Signed under the penalties of perjury.

J. W. Carney, Jr.
J. W. Carney, Jr.

December 19, 2016